

ORDINANCE NO. _____

1 AN ORDINANCE amending Section 26.11.010 of the Lincoln Municipal Code
2 to allow surplus property to be conveyed to the abutting property owner without being
3 required to comply with the otherwise applicable requirements of the Subdivision Ordinance;
4 and repealing Section 26.11.010 of the Lincoln Municipal Code as hitherto existing.

5 BE IT ORDAINED by the City Council of the City of Lincoln, Nebraska:

6 Section 1. That Section 26.11.010 of the Lincoln Municipal Code be amended
7 to read as follows:

8 **26.11.010 Subdivision; When Required.**

9 (a) It shall be unlawful for the owner, agent, or person having control of any land
10 within the corporate limits of the city, or within three miles of its corporate limits to subdivide
11 land except in accordance with Neb. Rev. Stat. §§15-106 and 15-901 (Reissue 1974) and the
12 provisions of this title; provided, however, that any subdivision of land caused by the
13 acquisition of land by the federal government, the State of Nebraska, any natural resources dis-
14 trict, any county, the city, or any village within the jurisdiction of the city, shall be deemed
15 to have received approval as required by Neb. Rev. Stat. §15-901 (Reissue 1974). This
16 provision shall apply to all such subdivisions occurring both before and after the effective date
17 of this section.

18 (b) The conveyance of portions of abandoned railroad right-of-way by a railroad or
19 a subsequent owner of such right-of-way to abutting property owners shall not be required to

1 comply with the otherwise applicable requirements of this title. Any such conveyance must
2 join the right-of-way to a lot which abuts at least a portion of the conveyed right-of-way. Any
3 such right-of-way so conveyed may not thereafter be separately conveyed or devoted to a
4 separate use without complying with all otherwise applicable requirements for lots within the
5 zoning district in which such right-of-way is situated.

6 (c) The conveyance of portions of property that have been declared surplus by any
7 governmental agency shall not be required to comply with the otherwise applicable
8 requirements of this title. For purposes of this subsection, a governmental agency shall
9 include the federal government, the State of Nebraska, any natural resources district, any
10 county, the City, or any village within the jurisdiction of the City. Any such surplus property
11 so conveyed may not thereafter be separately conveyed or devoted to a separate use without
12 complying with all otherwise applicable requirements for lots within the zoning district in
13 which such surplus property is situated.

14 Section 2. That Section 26.11.010 of the Lincoln Municipal Code as hitherto
15 existing be and the same is hereby repealed.

16 Section . That this ordinance shall take effect and be in force from and after its
17 passage and publication according to law.

Introduced by:

Approved as to Form & Legality:

City Attorney

Staff Review Completed:

Administrative Assistant